

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA**

DENNIS FLUHART,

Plaintiff,

vs.

SHERIFF MACK WIMBISH, et al.,

Defendants.

CASE NO. CV-F-05-0287 AWI LJO

**ORDER TO SET STATUS CONFERENCE  
AND TO SERVE SUMMONS AND  
COMPLAINT**

Date: October 5, 2005

Time: 8:45 a.m.

Dept.: 6 (LJO)

This Court set June 20, 2005, August 25, 2005 and September 29, 2005 mandatory scheduling conferences. Plaintiff Dennis Fluhart ("plaintiff") has failed to serve defendants with a summons and complaint to necessitate vacating the scheduling conferences. On the basis of good cause, this Court:

1. ORDERS plaintiff, no later than October 3, 2005, to serve each defendant with a summons and complaint. Pursuant to F.R.Civ.P. 4(m), this Court will dismiss defendants who remain unserved with a summons and complaint as of October 3, 2005;
2. VACATES the September 29, 2005 mandatory scheduling conference;
3. SETS a status conference for October 5, 2005 at 8:45 a.m. in Department 6 (LJO) of this Court. The parties are encouraged to appear at the status conference by telephone by arranging a one-line conference call and then adding the Court at (559) 498-7322;
4. ORDERS the parties to otherwise comply with the March 27, 2005 order setting scheduling conference;

5. ORDERS plaintiff to serve of a copy this order on defendants; and

IT IS SO ORDERED.